

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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|--------------------------|---|-------------------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | Criminal No. 05-25 Erie |
| |) | (18 U.S.C. §§922(g)(1) |
| LEON F. AKERLY, II |) | |

MOTION TO ENLARGE TIME PERIOD IN WHICH
TO FILE PRETRIAL MOTIONS

AND NOW, to-wit, this 7th day of July, 2005, comes the above-named defendant, LEON F. AKERLY, II, by and through his attorneys, AMBROSE, FRIEDMAN and WEICHLER, and respectfully moves this Court to enlarge the time period in which to file pretrial motions and in support thereof sets forth as follows:

1. The defendant was indicted on June 7, 2005 in a one count presentment returned by a federal grand jury sitting in Erie, Pennsylvania.
2. The defendant was arraigned on June 29, 2005 before Magistrate Judge Susan Paradise Baxter and entered a plea of not guilty to count one in the indictment.
3. At the defendant's arraignment he was advised that he has ten (10) days in which to file pretrial motions unless enlarged by Order of this Court.
4. Following the arraignment, the Court conducted a Rule 24 conference. Assistant United States Attorney Christine Sanner indicated that she was in the process of assembling the Rule 24 and Rule 16 material and would mail the same to defense counsel when received from the case agent. Defense counsel indicated that that was satisfactory.
5. Counsel needs time to conduct an appropriate investigation into the allegations contained in the indictment as well as to review any future discovery material that may be

received. This is necessary in order to properly advise the defendant as to his legal options regarding the accusation and to file whatever motions may be appropriate and necessary.

6. AUSA Sanner indicated that she would not have any objection to the defendant's request to enlarge the time period in which to file pretrial motions.

WHEREFORE, the defendant respectfully requests that this Court enter an Order enlarging the time period in which to file pretrial motions by 90 days for the reasons set forth herein.

Respectfully submitted,

AMBROSE, FRIEDMAN and WEICHLER

s/ Leonard G. Ambrose, III

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